GOVERNMENT OF INDIA
CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
LOK SABHA

UNSTARRED QUESTION NO:2055
ANSWERED ON:14.03.2017
Misleading Advertisements
Ahlawat Smt. Santosh;Goud Dr. Boora Narsaiah;Saraswati Shri Sumedhanand

Will the Minister of CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION be pleased to state:

(a) whether the Government is aware of recent study conducted by Centre for Science and Environment where in it was revealed that information on food packets of several popular brands of snacks, health drinks, cooking oil, noodles, etc. are misleading and if so, the details thereof;
(b) whether the Advertising Standards Council of India is a self-regulatory body and doesn't have punitive powers resulting in above instances;
(c) whether it is true that Food Safety Regulations issued in 2011 make it mandatory for companies to declare energy, protein, fat, sugar, etc., to be specified on packets and if so, the manner in which the Ministry is planning to ensure correct labelling on packets;
(d) whether lots of consumers are cheated by misleading advertisements and unrealistic claims by some companies, if so, the details thereof; and
(e) whether the Government is planning to impose Rs. 10 lakh fine and one year ban on celebrities who endorses products making unrealistic claims and if so, the details thereof?

Answer

THE MINISTER OF STATE
CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
(SHRI C. R. CHAUDHARY)

(a) : As informed by the Food Safety Standards Authority of India (FSSAI), no such information is available with them.

(b) : The Advertisement Standards Council of India is a self-regulatory organization for the advertising industry and doesn't have punitive powers. Department of Consumer Affairs has signed an MOU with ASCI to process the complaints against misleading advertisements.

(c) : Yes, Madam. Provision for declaration of energy, protein, fat, sugar on the label of pre-packaged foods has been prescribed under sub-regulation 2.2.2(3) of Food Safety and Standards (Packaging and Labelling) Regulations, 2011.

Regular surveillance, monitoring, inspection and random sampling of food products are being done by the Officials of the Food Safety Departments of the respective States/UTs to check compliance of the standards laid down under the Food Safety and Standards Act, 2006 and the Rules and Regulations made thereunder. In cases where the food samples are found to be non-conforming, recourse is taken to penal action under Chapter IX of the FSS Act, 2006.

(d) : The Government is aware of the fact that some consumers are cheated by misleading advertisements and unrealistic claims by some companies. The Government has launched an online portal "Grievance Against Misleading Advertisements (GAMA)" for handling the complaints relating to misleading advertisements. 3140 complaints relating to misleading advertisements have been received through this portal from March, 2015 till dated.

(e) : Government has proposed some deterrent steps on the celebrities who endorse products making unrealistic claims in the Consumer Protection Bill, 2015.
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